Home Secretariat.

NOTIFICATION.

Bangalore, dated the 13th August 1965.

G.S.R. 632 The following draft of the Mysore Prohibition (Use of Spirits in the manufacture of Medicinal and Toilet Preparations) Rules, 1965 which the Government of Mysose proposes to make in exercise of the powers conferred by section 124 of the Mysore Prohibition Act, 1961 (Mysore Act No. 17 of 1962) and in supersession of all rules, notifications and orders on the subject made or issued under any enactment repealed by sub-section (1) of section 129 of the said Act, is hereby published as required by sub-section (3) of section 124 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after 15th October 1965.

Any objection or suggestion which may be received from any person by the Government of Mysore with respect to the said draft rules before the date specified above will be considered by the State Government. Objections or suggestions may be addressed to the Secretary to the Government, Home Department, Vidhana Soudha, Bangalore-1.

Draft Rules.

THE MYSORE PROHIBITION (USE OF SPIRITS IN THE MANUFACTURE OF MEDICINAL AND TOILET PREPARATIONS) RULES, 1965.

1. Title and commencement.—(1) These rules may be called the Mysore Prohibition (Use of Spirits in the manufacture of Medicinal and Toilet preparations) Rules, 1965.

(2) They shall extend to all the areas of the State of Mysore where the Mysore Prohibition Act, 1961, is in force.

(3) They shall come into force at once.

2. **Definitions.**—In these rules unless the context otherwise requires,—

(*a*) "Act" means the Mysore Prohibition Act, 1961;

(*b*) "Form" means a form appended to these rules;

(*c*) "licence" means a licence granted under these rules;

(*d*) "Licensed Premises" means the premises in respect of which the licence is granted under these rules;

(*e*) "licensee" means a person holding a licence under these rules.

3. **Application for licence.**—Any person desiring to purchase, possess or use any spirits for the manufacture of any medicinal or toilet preparation may apply to the Deputy Commissioner for a licence in that behalf. The application shall contain the following particulars, namely :—

(*a*) Name and address of the applicant;

(*b*) Kind and quantity of spirits required per month together with its name, if any;

(*c*) Kind of Medicinal or Toilet Preparation or Preparations for the manufacture of which the spirit is required together with the name or names of such preparation or preparations;

(*d*) Place where the spirit will be kept and used;

(*e*) Name and address of the person from whom the spirit is to be purchased and his licence number for the sale of spirit;

(*f*) The period for which the licence is required; and

(*g*) The number and date of the licence or licences obtained under the Medicinal and Toilet Preparations Act, 1955, and the Drugs Act, 1940.

4. **Grant of licence.**—On receipt of an application under rule 3 the Deputy Commissioner shall make such enquiries as he may deem necessary and if he is satisfied that there is no objection to grant the licence applied for, he may, grant the applicant a licence in Form M. P. S. I on payment of a fee of Rs. 25 specifying therein the kind of spirits together with its specification, if any, permitted to be used and also the quantity allowed to be used during a month.

5. **Duration of licence etc.**—(1) No licence under these rules, shall be granted for a period beyond 31st March next following the date of the commencement of the licence.

(2) No licence shall be granted to a minor.

6. **Use of spirits.** —The licensee shall not use or allow to be used the spirits except in the licensed premises and except in his own presence or in the presence of any other person duly authorised under a written authority granted by him in this behalf.

7. **Purpose of use.**—The licensee shall not use the spirits except for the purpose for which it is permitted to be used.

8. **Accounts to be maintained.**—The licensee shall maintain accounts in Form M. P. S. II and submit returns in Form M. P. S. III.

9. **Inspections.**—The licensed premises, the spirits kept therein and the accounts maintaned in respect of such spirits shall, at all times be open to inspection by any Officer empowered under section 101 of the Act.

10. **Remarks of Inspection.**—The licensee shall keep in his licensed premises an inspection book paged and stamped with the seal of the Deputy Commissioner or any other Officer authorised by him in this behalf, in which inspecting Officers may record their remarks when inspecting the premises.

11. Licensee to execute agreement.—The licensee shall abide by the provisions of the Act, and the Rules, Regulations and Orders made thereunder and the conditions of the licence and shall at the time of taking delivery of the licence give an undertaking to that effect in the form of a counterpart agreement on appropriate stamp paper.

12. Suspension and cancellation of licence.—Any licence may be suspended or cancelled in accordance with the provisions of section 45 or 47 of the Act.

13. Effect of suspension or cancellation.—In all cases where a licence is cancelled or suspended during the currency of the period of the licence or is not renewed after the expiry of such period, the licensee shall surrender forthwith the whole of the unused stock of spirits to the Deputy Commissioner.

14. Special conditions.—(1) Notwithstanding anything contained in these rules, no licence for the possession and use of rectified spirit or absolute alcohol or for the transport thereof shall be granted under these rules, unless the licensee holds a valid licence or permit for the aforesaid purpose under the Mysore Prohibition (Rectified Spirit) Rules.

(2) Except as provided in sub-rule (1) the provisions of these rules shall be in addition to and not in derogation of the provisions of the Mysore Prohibition (Rectified Spirit) Rules, 1962, in so far as they relate to the matters dealt with in these rules.

FORM M.P.S. I.

(*See rule 4*)

License No. DISTRICT.

License for purchase, possession or use of spirits for the manufacture of Medicinal and Toilet Preparations.

License is hereby granted, under and subject to the provisions of Mysore Prohibition Act, 1961, and the rules, regulations and orders made thereunder to..... .....(hereinaltar called "The Licensee") of.....on payment of a fee of Rs. in advance authorising the purchase, possession or use of the spirits specified below during the period from.....to.....at his premises situated at.....(hereinafter called " licensed Premises ") subject to the following conditions, namely :—

CONDITIONS

1. The licensee is authorised to possess the following kinds of spirits.

1.....
2.....
3.....

2. The licensee shall not use the said spirit(s) for any purpose except for the manufacture of the following preparations :—

1.....
2.....
3..... .....

3. The licensee shall not transport any spirit(s) unless the transport is covered by a permit issued in from S.M.P. 4.

4. The licensee shall not purchase in any month exceeding..... litres in aggregate.

5. The licensee shall not have in his possession more than..... litres of spirits at any one time.

6. The licensee shall abide by the provisions of the act, rules regulations, and orders made thereunder and the conditions of the license and shall also comply with all orders of the Prohibition Commissioner, Deputy Commissioner and other Prohibition Officers.

7. In case the license is cancelled or suspended during its currency or is not renewed on its expiry the licensee shall forthwith surrender the whole of the unused stock of the spirits to the Deputy Commissioner.

8. The license may be suspended or cancelled in accordance with the provisions of sections 45 and 47 of the Mysore Prohibition Act, 1961.

Granted this day.....of.....19.....

Seal of the
Deputy Commissioner

Signature of the Deputy Commissioner,
.....District.

FORM M. P. S. II

(*See* Rule 8)

Register of spirits received, used and in balance maintained by a licensee holding a licence in Form M. P. S. I.

	In hand			Received				Total (in hand and received)			Expended						Balance		
Month and date	Quantity	Strength	Proof	Whence	Indent Number	Permit Number	Quantity	Strength	Proof	Quantity	Strength	Proof	Serial No. in manufacturing register	Quantity	Strength	Proof	Wastage Proof litres	Quantity	Strength	Proof
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21

FORM M. P. S. III

(*See* Rule 8)

Monthly return of spirits received, used and in balance submitted by a licensee holding a license in Form M. P. S. I.

Name of the licensee. License No.

Quantity of Spirits in stock on the 1st of the month.	Quantities received in the month	Permit Nos.	Total of columns 1 and 2.	Quantity utilised in the month in manufacture of preparations	Serial No. of the register in form R.G. 3 maintained under the M and T. P. Act.	Closing blance of spirits in stock as on the last day of the month	Remarks
1	2	3	4	5	6	7	8

By Order and in the name of the Governor of Mysore,
M. S. SHANKAR RAO, *Secretary*.